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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/186,869	11/04/1998	KARL W. HASEL	216019-93

CONFIRMATION NO. 2377

Brian M. Berliner
 O'MELVENY & MYERS LLP
 400 South Hope Street
 Los Angeles, CA 90071-2899



OC000000012756826

Date Mailed: 05/24/2004

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 03/17/2003.

- The withdrawal as attorney in this application has been accepted. Future correspondence will be mailed to the new address of record. 37 CFR 1.33.

BETTY J KAMINSKY
 1600 (571) 272-0600

FORMER ATTORNEY/AGENT COPY

RECEIVED

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D. C. 20231.

Date: March 12, 2003

Maria Zita Chua
Maria Zita Chua



PATENT

216019-93 (98,429)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: HASEL et al.

Art Unit: 1637

Serial No.: 09/186,869

Filed: November 4, 1998

Examiner: Jeffrey Norman Fredman

Title: Method For Indexing And Determining
The Relative Concentration Of Expressed
Messenger RNAs

APPROVED

William J. McLean
O P T E, TC 1600
5/18/04

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The undersigned attorney, on behalf of himself and the other attorneys of record, who are members or associates in the firm of O'MELVENY & MYERS LLP, or who were so listed at the time of their appointment, and on behalf of any attorneys appointed by any of the attorneys on whose behalf this petition is filed, requests the approval of the Commissioner to withdraw as attorneys of record.

The attorneys on whose behalf this request to withdraw is filed include:

BERLINER, Brian M., Registration No. 34,549
AJALAT, Christiana M., Registration No. 50,956
DALKE, David, Registration No. 40,980
FITZSIMMONS, Todd E., Registration No. 44,683
HSUEH, Peter C., Registration No. 45,574
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SCHRADER, Scott A., Registration No. 47,928
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Serial No. 09/186,869

March 12, 2003

Page 2

The present mailing address of the attorneys of record is:

O'MELVENY & MYERS LLP
400 South Hope Street
Los Angeles, CA 90071-2899

This application has been assigned by the Applicants to Digital Gene Technologies, Inc. (Reel/Frame Number: 012878/0006). The present mailing address of the Assignee is:

DIGITAL GENE TECHNOLOGIES, INC.
11149 North Torrey Pines Road
Suite 110
La Jolla, CA 92037

Items pertinent to the request for withdrawal are set forth below.

1. Basis For Withdrawal Request. The basis for the request for withdrawal is 37 C.F.R. 10.40(c)(1)(vi), failure to pay bills rendered by the attorneys of record for an unreasonable period of time.
2. Notification Of Client: In accordance with 37 C.F.R. § 10.40(a), copies of this request are being sent to the Assignee.

At least thirty (30) days remain for the Assignee to take any action due in this case or an appropriate request for extension of time accompanies this request seeking additional time. The attorneys on whose behalf this petition is filed will ensure that the Assignee has sufficient time after approval of this request to reply or employ another to reply to any outstanding requirement of the U.S. Patent and Trademark Office.

3. Number Of Copies Of Request. This request is enclosed in triplicate.

Serial No. 09/186,869
March 12, 2003
Page 3

Further communications regarding this application should be directed to the Assignee at the following address:

Robert Sutcliffe, Esq.
DIGITAL GENE TECHNOLOGIES, INC.
11149 North Torrey Pines Road
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Signature of the authorized attorney on behalf of himself and the other attorneys of record of the withdrawing firm, O'Melveny & Myers LLP.

Respectfully submitted,



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Authorized Attorney
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cc: Robert Sutcliffe, Esq.
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